

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

January 28, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: Julie Golden
DEPUTY

WHITNEY BILYEU, individually and as Chair §
of the LIBERTARIAN PARTY OF TEXAS; §
MARK ASH; STEPHANIE BERLIN; JOE §
BURNES; ARTHUR DIBIANCA; KEVIN §
HALE; DESARAE LINDSEY; ARTHUR §
THOMAS IV; MARK TIPPETTS; and §
LIBERTARIAN PARTY OF TEXAS, §

Plaintiffs, §

v. §

JOHN B. SCOTT, in his official capacity as §
the Secretary of State of the State of Texas, and §
JOSE A. “JOE” ESPARZA, in his official §
capacity as the Deputy Secretary of State of the §
State of Texas, §

Defendants. §

NO. 1:21-CV-01089-RP

Agreed Interim Scheduling Order

Plaintiffs Whitney Bilyeu, Individually and as Chair of the Libertarian Party of Texas; Mark Ash; Stephanie Berlin; Joe Burnes; Arthur DiBianca; Kevin Hale; Desarae Lindsey; Arthur Thomas IV; Mark Tippetts; and Libertarian Party of Texas (“Plaintiffs”), and Defendants John B. Scott and Jose A. “Joe” Esparza (“Defendants”) have asked the Court to enter this order. The Court GRANTS IN PART AND DENIES IN PART their motion.

It is therefore ORDERED that the parties will submit briefs relating to Plaintiffs’

Application for Preliminary Injunction as follows:

February 11, 2022	Plaintiffs’ Brief in Support of their Application for Preliminary Injunction
February 21, 2022	Defendants’ Response Brief

February 23, 2022

Plaintiff's Reply Brief (should Plaintiffs wish to reply)

It is FURTHER ORDERED that all briefs shall be limited to 10-pages.

It is FURTHER ORDERED that all depositions taken in advance of the 24 February 2022 Preliminary Injunction hearing are limited to 3-hours.

It is FURTHER ORDERED that if a party serves written discovery, the responding party will have 7-days from the date of service to object to those requests, and 21-days from the date of service to respond to discovery requests. The parties may seek the Court's resolution of the objections on an expedited basis if they are unable to resolve the objections themselves.

SIGNED on this 28th day of January 2022.

A handwritten signature in blue ink, appearing to read 'R. Pitman', is written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE